

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36251 of 2022**

Arising Out of PS. Case No.-488 Year-2021 Thana- DAUDNAGAR District- Aurangabad

1. Ajay Kumar Son Of Basudeo Singh R/O- Vill- Dhewahi, P.S.- Daudnagar, Dist.- Aurangabad
 2. Govind Yadav @ Govind Singh Son Of Ramdeo Singh @ Rajdeo Singh R/O- Vill- Badki Karma @ Karma Kala, P.S.- Daudnagar, Dist.- Aurangabad
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bikaram Deo Singh, Advocate
		Mr. Satyendra Kumar Bhatnagar, Advocate
For the Opposite Party/s	:	Mr. Madhuri Lata, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 07-11-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in registered for the offence punishable under Section 307 and other allied sections of the Indian Penal Code.

As per prosecution case, FIR named accused persons including these petitioners having lathi, danda, iron rod and pistol assaulted son of the informant namely Mayank Kumar and thereafter, locked him inside the Community Health Centre. The informant after knowing about the occurrence informed the police who took him to Sadar Hospital from where he was referred to Narayan Hospital where he was declared dead.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. It is submitted that informant is not an eye witness of the occurrence and there is not allegation of firing against the petitioners. There is no specific and overt act against these petitioners. As a matter of fact, this case is a counter blast of Daudnagar P. S. Case No. 488 of 2021 which was lodged by Ravi Kumar against sons of the informant and only in view to save their skin from counter case this false and concocted case has been lodged rather 3 persons from petitioners' side sustained injury in the alleged occurrence.

Learned counsel for the State opposes the prayer for bail application submitting that specific allegation is against the petitioners and they brutally assaulted the son of the informant on the head as a result of which he died during course of treatment.

Considering the aforesaid facts, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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